1 PETER B. BUNTING #124104 2 Attorney Names 2304 West Shave Avenue, Suite 103 3 Fresno, California 93711 4 Telephone 559.226.4030 Fax 559.226.4148 5 Email: info@peterbbuntinglaw.com 6 7 Attorney for Debtors HUERTA/MARTINEZ 8 UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA, FRESNO 9 IN RE Chapter 13 10 Case No.: 23-12433A-13F 11 ROBERTO HUERTA AND DC No. PBB-2 KRYSTYNA MARIA MARTINEZ, 12 **HEARING** 13 DEBTORS. 14 Date: January 11, 2024 ROBERTO HUERTA AND Time: 9:30 a.m. 15 KRYSTYNA MARIA MARTINEZ, Dept: A Ctrm: 11 (5th Floor) 16 United States Bankruptcy Court 17 Movant, 2500 Tulare Street Fresno, California 93721-1318 18 VS. HONORABLE JENNIFER E. NIEMANN 19 20 CITIBANK, N.A. SUCCESSOR BY MERGER OF DEPARTMENT SOTRES NATIONAL 21 BANK, 22 Respondent. 23 24 EXHIBITS TO DECLARATION OF ROBERTO HUERTA IN SUPPORT OF MOTION TO AVOID JUDICIAL LIEN OF CITIBANK, N.A. SUCCESSOR BY MERGER OF 25 DEPARTMENT SOTORES NATIONAL BANK 26 27 28 1

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1	EXHIBIT INDEX
2	
3	
4	Exhibit "A" – Interspousal Transfer Grant Deed recorded October 24, 2016
5	Exhibit "B" – Page 1 of Schedule A/B
6	Exhibit "C"- Schedule D listing debtors' encumbrances against residence
7	Exhibit "D"- Abstract of Judgment recorded September 6, 2022 as document number
8	2022-0111379
9	Exhibit "E"- Schedule C
10	
11	
12	Date: NOV 2 7 2023 Pet 13 Benting
13	PETER B. BUNTING
14	Attorney at Law
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JJC/E1/1-3

FRESNO County Recorder
Paul Dictos, C.P.A.
DOC2016-0145938-00
Acct 3059-Fidelity National Title - Fresno
Monday, OCT 24, 2016 12:57:39
Ttl Pd \$17.00 Rcpt # 0004642016

RECORDING REQUESTED BY: Fidelity National Title Company

When Recorded Mail Document and Tax Statement To: Roberto Huerta 619 East Hopkins Avenue Fresno, CA 93706

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FFOM-2011603886

Property Address: 619 East Hopkins Avenue,

Fresno, CA 93706

APN/Parcel ID(s): 334-294-06

INTERSPOUSAL TRANSFER DEED

(Excluded from reappraisal under California Constitution Article 13 A Section 1 et seq.)

The undersigned grantor(s) declare(s)

$ \mathbf{\Lambda} $	This transfer is exempt from the docu	imentary transfer tax.						
	"is exempt from imposition of the Documentary Transfer Tax pursuant to Revenue and Taxation							
		g community, quasi-community, or quasi-marital property, assets						
	• • •	a judgment, an order, or a written agreement between spouses in						
	contemplation of any such jud							
_								
LJ	The documentary transfer tax is \$	and is computed on:						
	the full value of the interest or pro	perty conveyed.						
	the full value less the liens or encumbrances remaining thereon at the time of sale.							
The	e property is located in 🗹 an Unincorp	orated area of Fresno.						
	• • •							

This is an Interspousal Transfer and not a change in ownership under Section 63 of the Revenue and Taxation Code and Grantor(s) has (have) checked the applicable exclusion from reappraisal:

A creation, transfer, or termination, solely between spouses, of any co-owner's interest.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Krystyna Martinez, wife of the Grantee herein

hereby GRANT(S) to Roberto Huerta, a married man as his sole and separate property

the real property in the Unincorporated Area of Fresno of the County of Fresno, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

The grantor is executing this instrument for the purpose of relinquishing all of grantor's rights, title and interest, including, but not limited to, any community property interest in and to the land described herein and placing title in the name of the grantee as his/her separate property.

EXHIBITA"A"
Page 3

MAIL TAX STATEMENTS AS DIRECTED ABOVE

INTERSPOUSAL TRANSFER DEED

(continued)

APN/Parcel ID(s): 334-294-06

Dated: October 19, 2016

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

(Seal)

Page 4

Signature

Commission # 2121287

Notary Public - California

Fresno County My Comm. Expires Aug 26, 2019 Filed 11/28/23 Case 23-12433 Doc 24

EXHIBIT "A"

Legal Description

For APN/Parcel ID(s	s)): 3	334	1-29	94	-01	6
---------------------	----	------	-----	------	----	-----	---

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 14, TRACT NO. 1826, EASTON VILLAGE, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 20 PAGE 65 OF PLATS, RECORDS OF SAID COUNTY.

Page 5

			\							
Fill in	this inforn	nation to identify you	r case and th	is filing	g:					
Debto	r 1	Roberto Huerta	Middle	e Name	···					
Debto	r 2	Krystyna Maria		Name		Last Name				
(Spouse	e, if filing)	First Name		Name		Last Name				
United	l States Ba	nkruptcy Court for the:	EASTERN	DISTRI	CT OF CALIF	ORNIA				
Case	number								☐ Chec	k if this is a
						-			_ 000	ded filing
Offic	cial Fo	rm 106A/B								
Scł	nedul	e A/B: Pro	perty						12/15	
hink it nforma Answer	fits best. Be ition. If more every quest	e as complete and accu e space is needed, attac tion.	rate as possibl h a separate sl	e. If two heet to ti	married people his form. On the	an asset fits in more than one are filing together, both and top of any additional page	e equally resp	onsible for su	polying corr	ect
						land, or similar property?				1
_			ne micrest in a	ny resiu	ence, bunung,	iand, or similar property?				
_	o. Go to Part									
— Y	es. VVnere is	the property?								
F	Eresno Fresno Founty	f available, or other descriptio	706-0000 ZIP Code	Who :	Single-family h Duplex or multi Condominium Manufactured Land Investment pro Timeshare Other has an interest Debtor 1 only Debtor 2 only Debtor 1 and I At least one of	ti-unit building or cooperative or mobile home operty in the property? Check one	Current va entire prop \$36 Describe ti (such as fe a life estat Fee Sim	s9,000.00 the nature of your simple, tense), if known. tole if this is completuctions)	Current va portion yo \$3 cur ownersh	chedule D: y Property. lue of the u own? 69,000.00 ip interest entireties, or
	ges you ha			r all of y		rom Part 1, including an		=>	\$369	,000.00

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on Schedule G: Executory Contracts and Unexpired Leases.

EXHIBIT "B"
Page 6

		1,				
Fill in this informat	tion to identify yo	our case:				
Debtor 1	Roberto Huerta	a				
-	First Name	Middle Name	Last Name		-	
Debtor 2	Krystyna Maria	a Martinez				
(Spouse if, filing)	First Name	Middle Name	Last Name		-	
United States Bankr	uptcy Court for the	EASTERN DISTRICT OF CAL	.IFORNIA		_	
Case number						
(if known)					☐ Check	cif this is an
					_	ded filing
Off:-:-1 E	1000					
Official Form						
Schedule D	: Creditors	s Who Have Claims	Secured	by Propert	У	12/15
is needed, copy the Ac number (if known). 1. Do any creditors ha	iditional Page, fill it	. If two married people are filing togets out, number the entries, and attach it	to this form. On	the top of any additio	nal pages, write your na	me and case
-		• • • •		or begins in allestic or also it		
		this form to the court with your other	rschedules. You	u nave notning else t	o report on this form.	
	of the information	below.				
	ecured Claims			Calvina A	0.1	
2. List all secured clair	ims. If a creditor has	more than one secured claim, list the cre is a particular claim, list the other creditor	editor separately	Column A	Column B	Column C
much as possible, list the	he claims in alphabet	is a particular claim, list the other creditor tical order according to the creditor's name	s in Part 2. As ie.	Amount of claim Do not deduct the value of collateral.	Value of collateral that supports this claim	Unsecured portion If any
2.1 AmeriCredit	/GM					·
Financial Creditor's Name		Describe the property that secures		\$39,567.10	\$29,569.00	\$9,998.10
Creditor's Ivame		2018 Chevrolet Tahoe LS 93	3,000			
		Location: 619 E Hopkins Av	re l			
Attn: Bankru	intev	Fresno CA 93706				
Po Box 1838	•	As of the date you file, the claim is:	Check all that			
Arlington, T	X 76096	apply. Contingent				
Number, Street, City	y, State & Zip Code	☐ Unliquidated				
		☐ Disputed				
Who owes the debt?	Check one.	Nature of lien. Check all that apply.				
Debtor 1 only		An agreement you made (such as	mortgage or secu	red		
Debtor 2 only		car loan)				
■ Debtor 1 and Debto	-	☐ Statutory lien (such as tax lien, me	chanic's lien)			
At least one of the d		☐ Judgment lien from a lawsuit	5 6 4 111			
Check if this claim community debt	relates to a	Other (including a right to offset)	Perfected Li	en against Motor	Vehicle	
	Opened					
	01/19 Last					
Data daht was incurra	Active	Last 4 digita of appount numb	har 6771			

EXHIBIT "C" Page 7

Debtor 1 Roberto Huerta		Case number (if known)						
First Name Middle N Debtor 2 Krystyna Maria Martine:								
Debtor 2 Krystyna Maria Martine: First Name Middle N		·						
Thou value	Last Name							
Department Stores								
National Bank Macys	Describe the property that secures the claim:	\$8,742.73	\$369,000.00	\$0.00				
Creditor's Name	619 E Hopkins Ave Fresno, CA							
	93706 Fresno County							
Bankruptcy Processing	As of the date you file, the claim is: Check all that							
PO Box 8053	as of the date you file, the claim is: Check all that apply.							
Mason, OH 45040	Contingent							
Number, Street, City, State & Zip Code	☐ Unliquidated							
	☐ Disputed							
Who owes the debt? Check one.	Nature of lien. Check all that apply.							
☐ Debtor 1 only	☐ An agreement you made (such as mortgage or s	secured						
☐ Debtor 2 only	car loan)							
■ Debtor 1 and Debtor 2 only	\square Statutory lien (such as tax lien, mechanic's lien)							
\square At least one of the debtors and another	Judgment lien from a lawsuit	Judgment lien from a lawsuit						
Check if this claim relates to a community debt	Other (including a right to offset)							
Date debt was incurred 10/12/2022	Last 4 digits of account number							
2.3 Loancare LLC	Describe the property that secures the claim:	\$170,464.00	\$369,000.00	\$0.00				
Creditor's Name	619 E Hopkins Ave Fresno, CA							
	93706 Fresno County							
	As of the date you file, the claim is: Check all that							
3637 Sentara Way	apply.							
Virginia Beach, VA 23452	☐ Contingent							
Number, Street, City, State & Zip Code	☐ Unliquidated							
	☐ Disputed							
Who owes the debt? Check one.	Nature of lien. Check all that apply.							
Debtor 1 only	☐ An agreement you made (such as mortgage or secured car loan)							
☐ Debtor 2 only								
Debtor 1 and Debtor 2 only	☐ Statutory lien (such as tax lien, mechanic's lien)							
☐ At least one of the debtors and another	☐ Judgment lien from a lawsuit							
☐ Check if this claim relates to a community debt	Other (including a right to offset) 1st Deed of Trust- Residence							
Omened								
Opened 10/16 Last								
Date debt was incurred Active 03/23	Last 4 digits of account number 0751							

Page 🗞

Debtor 1 Roberto Huerta		Case number (if known)						
First Name Middle								
Debtor 2 Krystyna Maria Martine First Name Middle								
That Marie	Hante Last Name							
Nissan Motor								
Acceptance Corp	Describe the property that secures the claim:	\$5,782.00	\$8,211.00	\$0.00				
Creditor's Name	2018 Nissan Versa SV 24,750 miles							
Attn: Bankruptcy Po Box 660366 Dallas, TX 75266 Number, Street, City, State & Zip Code	Title only, debtors did not pay any money towards the purchase of the vehicle. Location: Luis Huerta 3333 E Lowe Fresno CA 93702 As of the date you file, the claim is: Check all that apply. ☐ Contingent ☐ Unliquidated							
	☐ Disputed							
Who owes the debt? Check one.	Nature of lien. Check all that apply.							
Debtor 1 only	☐ An agreement you made (such as mortgage or	secured						
Debtor 2 only	car loan)	0000,00						
Debtor 1 and Debtor 2 only	Statutory lien (eyeh as tay lien, mechanicle lien)							
☐ At least one of the debtors and another	☐ Judgment lien from a lawsuit	☐ Statutory lien (such as tax lien, mechanic's lien)						
☐ Check if this claim relates to a community debt	· · · · · · · · · · · · · · · · · · ·	d Lien against Motor V	ehicle					
Opened 09/18 Last Active 2/05/23	Last 4 digits of account number 000	1						
2.5 Wells Fargo Bank NA	Describe the property that secures the claim:	\$0.00	\$369,000.00	ድብ በብ				
Creditor's Name	619 E Hopkins Ave Fresno, CA	φυ.υυ	\$303,000.00	\$0.00				
1 Home Campus Mac X2303-01a	93706 Fresno County							
3rd Floor	As of the date you file, the claim is: Check all that apply.							
Des Moines, IA 50328	☐ Contingent							
Number, Street, City, State & Zip Code	☐ Unliquidated							
Who owes the debt? Check one.	■ Disputed Nature of lien. Check all that apply.							
■ Debtor 1 only □ Debtor 2 only	☐ An agreement you made (such as mortgage or car loan)	secured						
☐ Debtor 1 and Debtor 2 only	☐ Statutory lien (such as tax lien, mechanic's lien)							
☐ At least one of the debtors and another	Judgment lien from a lawsuit							
☐ Check if this claim relates to a community debt	Other (including a right to offset)							
Opened 01/14 Last Active 02/20	Last 4 digits of account number 8708	3						
Add the dollar value of your entries in If this is the last page of your form, add Write that number here:	Column A on this page. Write that number here: I the dollar value totals from all pages.	\$224,555. \$224,555.						
Part 2: List Others to Be Notified f	or a Debt That You Already Listed							

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

Debtor	1 Roberto Hu	erta		Case number (if known)
	First Name	Middle Name	Last Name	
Debtor	2 Krystyna Ma	aria Martinez		
	First Name	Middle Name	Last Name	
	Department St c/o Donald She	ues Attorney at Law		On which line in Part 1 did you enter the creditor?
	Wells Fargo Bac/o Jon O. Blan	nda, Esq. Ind Oaks Bl #R349		On which line in Part 1 did you enter the creditor?

Page 10

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY: **HUNT & HENRIQUES, LLP**

AND WHEN RECORDED MAIL TO:

HUNT & HENRIQUES, LLP ATTORNEYS AT LAW 7017 REALM DRIVE SAN JOSE CA 95119

-0145308

FRESNO County Recorder Paul Dictos, CPA

Monday, Dec 05, 2022 09:39:49 RM

Pages: 3

Taxes:

\$108.00

HUNT & HENRIQUES LLP

THIS SPACE FOR RECORDERS USE ONLY

ABSTRACT OF JUDGMENT

(Please fill in document title(s) on this line)

EXHIBIT "D" Page \\

	EJ-001		
ATTORNEY OR PARTY WITHOUT ATTOR After recording, return to:	NEY (Name, address, and State Bar number):		
Hunt & Henriques, LLP	an manding		
Debt collection license application Donald Sherrili #266038	on periong.		
7017 Realm Drive, San José CA			•
TEL NO.: (800) 680-2426 FA E-MAIL ADDRESS (Optional):	X NO. (optlonal):		
ATTORNEY JUDGMEN			
SUPERIOR COURT OF CALIFORNIA, CO	JNTY OF FRESNO		
STREET ADDRESS: 1130 O Street MAILING ADDRESS:	į		
CITY AND ZIP CODE: Fresho CA 937 BRANCH NAME: B.F. Sisk Court			
			FOR RECORDER'S USE ONLY
PLAINTIFF: Department Sto	res National Bank		CASE NUMBER: 22CECL02165
DEFENDANT: ROBERTO HUE	ERTA		LIMITED
	F JUDGMENT—CIVIL MALL CLAIMS	Amended	FOR COURT USE ONLY
a. Judgment debtor's	dgment and represents the follow	ving:	Pursuant to California Government Code \$ 68150(f), the Clerk of the Court hereby certifies this document accurately reflects the official court
Name an Roberto Hue	d last known address -		 record. The electronic signature and seal on this document have the same validity
619 E Hopki		,	and legal force and effect as an original
Fresno CA 9			clark's signature and court seal.
b. Driver's license no. [last	-	Unknown	Celifornia Government Code § 68150(g).
c. Social security no. [last 4	•	Unknown	
	ntry of sister-state judgment was p Hopkins Ave Fresno CA 93706	personall y served or	malled to (name and address):
information on addition shown on page 2.	ional judgment debtors Is 4	. Information of shown on pa	on additional judgment creditors is
3. Judgment creditor (name a Department Stores Nationa % Hunt & Henriques, LLP 7		. Original absi	tract recorded in this county:
95119		b. Instrumen	t No.
Date: October 14, 2022		.	
Donald Sherrill SBN 266038	PF 41845	<u> </u>	
(TYPE OR PRIN	IT NAME)		(SIGNATURE OF APPLICANT OF ATTORNEY)
6. Total amount of judgment a \$8,742.73	is entered or last renewed:	10. An is endor	execution lien attachment lien sed on the judgment as follows:
7. All judgment creditors and	debtors are listed on this abstract	t. a. Amount: \$	
8. a. Judgment entered on (da b. Renewal entered on (da	•	b. In favor of	(name and address):
	Installment judgment.	11. A stay of enfo	proement has
[SEAL]]		been ordered by the court.
COURTON		b. beer	ordered by the court effective until
		(date	•
S Constant			tify that this is a true and correct abstract of udgment entered in this action.
	This abstract Issued on (date):		rtifled copy of the judgment is attached.
CAN'T OF FEET	11/15/2022		/s/ April Hoffman
		Clerk, by	, Deputy
Form Adopted for Mandatory Use Judicial Council of Catifornia EJ-001 (Rev. July 1, 2014)		JUDGMENTCIVIL	Page 1 of 2 Code of CMi Procedure, \$480.480, \$73.700.180

DD0002NR

PLAINTIFF: Department Stores National Bank	COURT CASE NO.:
DEFENDANT: ROBERTO HUERTA	22CECL02165
NAMES AND ADRESSES OF ADDITIONAL JUDGMENT CREDI	TORS:
13. Judgment creditor (name and address):	14. Judgment creditor (name and address):
·	
:	
· · · · · · · · · · · · · · · · · · ·	
15. Continued on Attachment 15.	
INFOMRATION ON ADDITIONAL JUDGMENT DEBTORS:	
16. Name and last known address	17. Name and last known address
6.	
Driver's license no. [last 4 digits] and state:	Driver's license no. [last 4 digits] and state:
Social security no. [last 4 digits]: Unknown Unknown	Sacial cognitive to Float 4 digital
	Social security no. [last 4 digits]: Unknown
Summons was personally served at or malled to (address):	Summons was personally served at or malled to (address):
i rit	
•	
18. Name and last known address	19. Name and last known address
·	
	'
Driver's license no. [last 4 digits] and state:	Driver's license no. [last 4 digits] and state:
Unknown	Unknown
Social security no. [last 4 digits]: Unknown	Social security no. [last 4 digits]: Unknown
Summons was personally served at or mailed to (address):	Summons was personally served at or mailed to (address):
	,
20. Continued on Attachment 20.	. 1.2
Page	: 1°)
	•
1.001 (Day 1.5.1.2014)	

DD0002NR

Fill in this infor	mation to identify your	case:			
Debtor 1	Roberto Huerta		# - 		
	First Name	Middle Name	Last Name		
Debtor 2	Krystyna Maria M	lartinez			
(Spouse if, filing)	First Name	Middle Name	Last Name		
United States Ba	ankruptcy Court for the:	EASTERN DISTRICT O	F CALIFORNIA		
Case number	, ,	7. 1.			
(if known)				l 	ck if this is ar nded filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

4/22

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Pε	rt 1: Identify the Property You Claim as E	xempt			
1.	Which set of exemptions are you claiming?	? Check one only, ever	n if yo	ur spouse is filing with you.	
	■ You are claiming state and federal nonban	kruptcy exemptions. 1	1 U.S	S.C. § 522(b)(3)	
	☐ You are claiming federal exemptions. 11 U	J.S.C. § 522(b)(2)			
2.	For any property you list on Schedule A/B	that you claim as exe	mpt,	fill in the information below.	
	Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own		ount of the exemption you claim	Specific laws that allow exemption
		Copy the value from Schedule A/B	Che	ck only one box for each exemption.	
	619 E Hopkins Ave Fresno, CA 93706 Fresno County	\$369,000.00		\$340,000.00	C.C.P. § 704.730
	Line from Schedule A/B: 1.1			100% of fair market value, up to any applicable statutory limit	
	2002 Honda Accord 190,000 miles Disabled, not used for 7 years, stored	\$623.00		\$623.00	C.C.P. § 704.010
	outside Location: 619 E Hopkins Ave, Fresno CA 93706 Line from Schedule A/B: 3.2			100% of fair market value, up to any applicable statutory limit	
	2012 Chevrolet Equinox 112000 miles Line from Schedule A/B: 3.4	\$6,500.00		\$6,877.00	C.C.P. § 704.010
	Line nom <i>Schedule A/B</i> . 3.4			100% of fair market value, up to any applicable statutory limit	
	Household Goods and Furnishings Location: 619 E Hopkins Ave, Fresno	\$1,500.00		\$1,500.00	C.C.P. § 704.020
	CA 93706 Line from Schedule A/B: 6.1	, ————		100% of fair market value, up to any applicable statutory limit	
		EXH		Ţ "E"	A
		Pag	e	4	